

PATENT APPLICATION  
Docket: 2409.3273.3US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:		)	
		)	
	Geoffrey S. Martin et al.	)	
		)	
Serial No.:	09/819,458	)	Art Unit
		)	3763
Filed:	March 27, 2001	)	
		)	
For:	MULTIPLE LUMEN CATHETER	)	
		)	
Examiner:	Kevin C. Sirmons	)	

**RECEIVED**

APR 28 2003

## Group 3700

TRANSMITTAL FOR DOCUMENTS PREVIOUSLY FILED <sup>AP</sup>

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

Sir:

This document and those being transmitted herewith are being submitted in response to the Office Action mailed from the United States Patent and Trademark Office on April 15, 2003, and the comments of Group Art Unit 3700 Customer Service Representative Trudy M. Mitchell in a telephone conference conducted therewith on April 25, 2003.

On March 6, 2003, Applicant deposited with the United States Postal Service “Express Mail Post Office to Addressee” in an envelope addressed to Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231, the following documents which are attached herewith as Exhibit A:

1. Transmittal for Supplemental Amendment "A" and Response to Species Election Requirement (4 pages);
2. Supplemental Amendment "A" and Response to Species Election Requirement (8 pages) with Exhibit A attached;
3. Appendix A to Supplemental Amendment "A" and Response to Species Election Requirement: Detail of Amendment to Specification (3 pages);
4. Pétition for Additional One-Month Extension of Time (2 pages);
5. Check No. 3905 in the amount of \$300.00 dated March 6, 2003; and
6. Certificate of Mailing by "Express Mail" (2 pages).

As evidence that the items attached as Exhibit A were mailed in the above manner, attached as Exhibit B is a copy of "Express Mail" Label No. EV 210751384 US completed at the Salt Lake Airport Mail center on March 6, 2003, a return postcard both listing the documents attached as Exhibit A and stamped as received on March 6, 2003 by the Office of Initial Patent Examination, and copies of both sides of Check No. 3905 in the amount of \$300.00 dated March 6, 2003, as cashed by the United States Patent and Trademark Office.

Despite the documented mailing described above, the Office Action of April 15, 2003, evidences that the documents attached as Exhibit A were not in the file wrapper for this matter.

Therefore, in order to permit a study of the above-listed documents by the Examiner at an appropriate future time in the prosecution of this matter, this document and the Exhibits A and B attached hereto are being resubmitted according to the provisions of 37 C.F.R. §1.8.

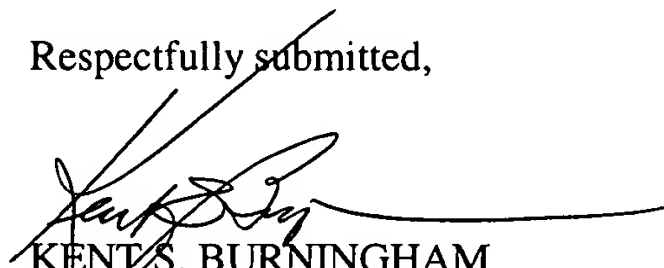
It is respectfully requested that the documents so submitted be entered into the file wrapper for the subject application, and that at an appropriate future time in the prosecution of this matter, that those documents receive the scrutiny of the Examiner.

In light thereof, it is respectfully requested that the Office Action of April 15, 2003, be withdrawn.

The undersigned further declares that all statements made herein based on the knowledge of the undersigned are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful, false statements, and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the subject application or any patent that may issue therefrom.

DATED this 25<sup>th</sup> day of April, 2003.

Respectfully submitted,



KENT S. BURNINGHAM  
Attorney for Applicants  
Registration No. 30,453

TRASKBRITT, PC  
230 South 500 East, Suite 300  
Salt Lake City, Utah 84102 USA  
Telephone: (801) 532-1922  
Toll Free: (800) 900-2001  
Facsimile: (801) 531-9168

KSB:df

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Docket No. 2409.3273.3US

EXPRESS MAILING LABEL NO. EV 210751384 US

PATENT APPLICATION  
Docket No. 2409.3273.3US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**APR 28 2003**

**Group 3700**

In re application of:

Geoffrey S. Martin et al.

Serial No.

09/819,458

) Art Unit

) 3763

Filed:

March 27, 2001

For:

MULTIPLE LUMEN CATHETER

Examiner:

Kevin C. Sirmons

TRANSMITTAL FOR SUPPLEMENTAL AMENDMENT "A" AND  
RESPONSE TO SPECIES ELECTION REQUIREMENT

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D. C. 20231

Sir:

Transmitted herewith is a Supplemental Amendment "A" and Response to Species Election Requirement with Exhibit A attached for entry in the above-captioned application.

☐ Small entity status of this application under 37 C.F.R. § 1.9 and § 1.27 has been established by a verified statement previously submitted.

☒ To effect entry of amendments to any indicated portion of the above-captioned application indicated below, a correspondingly indicated appendix is enclosed:

☒ Specification. In support of proposed amendments to the specification, enclosed is Appendix A to Supplemental Amendment "A" and Response to Species Election Requirement: Detail of Proposed Amendments to Specification.

- \_\_\_ Claims. In support of proposed amendments to the claims, enclosed is Appendix \_\_\_ to Amendment "\_\_\_": Detail of Proposed Amendments to Claims.
- \_\_\_ Abstract. In support of proposed amendments to the abstract, enclosed is Appendix \_\_\_ to \_\_\_\_: Detail of Proposed Amendments to Abstract.
- \_\_\_ To secure the approval of the Examiner for proposed amendments to the drawings, enclosed are the following:
- \_\_\_ Letter to the Official Draftsperson;
- \_\_\_ Set of \_\_\_\_\_ (\_\_\_) sheets of informal drawings containing Figures \_\_\_\_\_ including the proposed amendments therein; and
- \_\_\_ A duplicate set of the \_\_\_\_\_ (\_\_\_) sheets of informal drawings with the changes therein highlighted in red.
- x To render the transmitted Supplemental Amendment "A" and Response to Species Election Requirement timely filed, enclosed are the following:
- x Petition for Additional One-Month Extension of Time for a second period of one (1) month; and
- x The difference between the fee set forth in 37 C.F.R. § 1.17(b) and the fee set forth in 37 C.F.R. § 1.17(a), a difference equal in amount to \$ 300.00 is one (1) of the following:
- x . Enclosed as Check No. 3905; or
- \_\_\_ To be paid from Deposit Account No. 20-1469 of the undersigned.
- \_\_\_ To respond to a double patenting rejection, enclosed are the following:
- \_\_\_ Terminal Disclaimer with Exhibits \_\_\_ attached; and
- \_\_\_ The corresponding fee set forth in 37 C.F.R. § 1.20(d) in the amount of \$110.00 is one (1) of the following:
- \_\_\_ Enclosed as Check No. \_\_\_\_; or

\_\_\_\_\_ To be paid from Deposit Account No. 20-1469 of the undersigned.

  x   No additional fee is required.

  x   Duplicate copies of this sheet are attached.

The fee has been calculated as follows for other than a small entity applicant:

CLAIM INVENTORY			SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
Claims Remaining After	Highest No. Previously Paid For	Present Extra	Rate	Additional Fee		Rate	Additional Fee
Total 24	Minus 24	0	\$ 9.00	\$ --		\$18.00	\$ 0
Indep. 4	Minus 4	0	\$42.00	\$ --		\$84.00	\$ 0
First Multiple Dependent Claim			\$140.00	\$ --		\$280.00	\$ 0
Additional Fee			TOTAL	\$ --		TOTAL	\$ 0

\_\_\_\_\_ Please charge my Deposit Account No. 20-1469 in the amount of \_\_\_\_\_.

\_\_\_\_\_ Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for additional claims, if any, is enclosed.

  x   The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 20-1469. Duplicate copies of this sheet are attached.

  x   Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.

x Any patent application processing fees under 37 C.F.R. § 1.17.

DATED this 6<sup>th</sup> day of March, 2003.

Respectfully submitted,



KENT S. BURNINGHAM  
Attorney for Applicant  
Registration No. 30,453

TRASKBRITT, PC  
230 South 500 East, Suite 300  
Salt Lake City, Utah 84102 USA  
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Toll Free: (800) 900-2001  
Facsimile: (801) 531-9168

KSB/csw

Docket: 2409.3273.3US

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EXPRESS MAILING LABEL NO. EV 210751384 US

PATENT APPLICATION  
Docket No. 2409.3273.3US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:		)	
	Geoffrey S. Martin et al.	)	
Serial No.	09/819,458	)	Art Unit
		)	3763
Filed:	March 27, 2001	)	
		)	
For:	MULTIPLE LUMEN CATHETER	)	
		)	
Examiner:	Kevin C. Sirmons	)	

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: EV 210751384 US


Date of Deposit: March 6, 2003

I hereby certify that this document together with the materials listed as transmitted below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231.



DATED this 6th day of March, 2003.

Respectfully submitted,

  
KENT S. BURNINGHAM  
Attorney for Applicant  
Registration No. 30,453

TRASKBRITT, PC  
230 South 500 East, Suite 300  
Salt Lake City, Utah 84102 USA  
Telephone: (801) 532-1922  
Toll Free: (800) 900-2001  
Facsimile: (801) 531-9168

KSB/csw

Transmitted: Transmittal for Supplemental Amendment A" and Response to Species Election Requirement (4 pages)  
Supplemental Amendment "A" and Response to Species Election Requirement (8 pages) with Exhibit A attached  
Appendix A to Supplemental Amendment "A" and Response to Species Election Requirement: Detail of Proposed Amendments to Specification (3 pages)  
Petition for Additional One-Month Extension of Time (2 pages)  
Check No. 3905 in the amount of \$300.00  
Postcard

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3905

TRASK BRITT, P.C. PATENT ATTORNEYS / CLIENT ADVANCE ACCOUNT

DATE	INVOICE #	REFERENCE	AMOUNT
03/06/2003		Extension of Time - 2 Months 2409-3273.3US	300.00

300.00

WARNING THIS DOCUMENT HAS FLUORESCENT FIBERS, A VOID PANTOGRAPH AND A MICROPRINT SIGNATURE LINE 6

TRASK BRITT, P.C.  
PATENT ATTORNEYS / CLIENT ADVANCE ACCOUNT  
230 SOUTH 500 EAST, SUITE 300  
P.O. BOX 2550  
SALT LAKE CITY, UT 84102  
PHONE: 801-532-1922

KEY BANK OF UTAH  
SALT LAKE CITY, UT  
3173-1240

3905

DATE 03/06/2003


PAY  
EXACTLY

Three Hundred AND 00/100 DOLLARS

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TO THE  
ORDER OF

Commissioner for Patents  
Washington, D.C. 20231

  
AUTHORIZED SIGNATURE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:		)	
		)	
	Geoffrey S. Martin et al.	)	
		)	Art Unit
Serial No.:	09/819,458	)	3763
		)	
Filed:	March 27, 2001	)	
		)	
For:	MULTIPLE LUMEN CATHETER	)	
		)	
Examiner:	Kevin C. Sirmons	)	

CERTIFICATE OF FILING BY FACSIMILE TRANSMISSION

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D. C. 20231

**RECEIVED**  
**APR 28 2003**  
**Group 3700**

Sir:

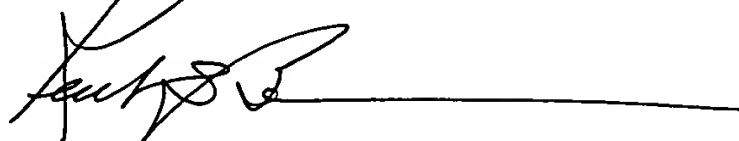
I hereby certify that this paper, the facsimile cover sheet that precedes this paper, and the documents listed below as "Transmitted" are being filed pursuant to 37 C.F.R. § 1.6(d) by facsimile transmission with Group Art Unit 3700 Customer Service Representative Trudy M. Mitchell at the United States Patent and Trademark Office at (703) 872-9301 on the date shown below.

The original of this document and the facsimile confirmation sheet for this transmission will as a courtesy be hand delivered to Group Art Unit 3700 Customer Service Representative Trudy M. Mitchell at the United States Patent and Trademark Office by an agent of the undersigned on April 28, 2003, with the understanding, however, that it is the date of this facsimile transmission that

establishes the date upon which the materials listed below as "Transmitted" were effectively filed in the United States Patent and Trademark Office.

DATED this 25<sup>th</sup> day of April, 2003.

Respectfully submitted,



KENT S. BURNINGHAM  
Attorney for Applicant  
Registration No. 30,453

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Salt Lake City, Utah 84102 USA  
Telephone: (801) 532-1922  
Toll Free: (800) 900-2001  
Facsimile: (801) 531-9168

KSB/df

Transmitted: Transmittal for Documents Filed (3 pages) with copies of documents filed  
March 6, 2003, attached as Exhibits A and B

N:\2409\3273.3US\CERT OF FILING BY FAX.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Geoffrey S. Martin et al.

Serial No.: 09/819,458

Filed: March 27, 2001

For: MULTIPLE LUMEN CATHETER

Examiner: Kevin C. Sirmons

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)  
) Art Unit  
) 3763  
)  
)

**RECEIVED**  
**APR 28 2003**  
**Group 3700**

CERTIFICATE OF HAND DELIVERY

I certify that the correspondence listed below is being hand delivered as a courtesy<sup>1</sup> to Group Art Unit 3700 Customer Service Representative Trudy M. Mitchell on April 28, 2003.

  
\_\_\_\_\_  
NOREEN A. FABEAN

Transmitted: Transmittal for documents previously filed (3 pages) with copies of documents filed  
March 3, 2003 attached as Exhibits A and B  
Certificate of Facsimile Transmission (2 pages)  
Postcard

Docket: 2409.3273.3US

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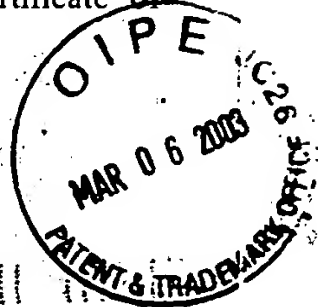
<sup>1</sup>It is understood, however, that the materials submitted herewith were previously filed by facsimile with Ms. Mitchell on April 25, 2003. Thus, this hand delivery is intended to permit entry into the file for the above-captioned application of the originals of the documents.

TO THE UNITED STATES PATENT AND TRADEMARK  
OFFICE PLEASE STAMP AND RETURN. THANK  
YOU

KSB

Submitted: Transmittal for Supplemental Amendment A"  
and Response to Species Election Requirement (4 pages);  
Supplemental Amendment "A" and Response to Species  
Election Requirement (8 pages) with Exhibit A attached;  
Appendix A to Supplemental Amendment "A" and Response  
to Species Election Requirement: Detail of Proposed  
Amendments to Specification (3 pages); Petition for  
Additional One-Month Extension of Time (2 pages); Check  
No. 3905 in the amount of \$300.00; and Certificate of  
Mailing by "Express Mail" (2 pages)

Applicants: Geoffrey S. Martin et al.  
For: MULTIPLE LUMEN CATHETER  
Serial No.: 09/819,458  
Filed: March 27, 2001  
Mailed: March 6, 2003  
Docket No. 240932733US  
KSB/csw





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PHONE 801-592-1092

DATE 03/06/2003

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COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

**AUTHORIZED SIGNATURE**

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FRB: SALT LAKE CITY  
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